

1 **Stanley A. Kempner, Jr., WSBA #11260**  
2 Attorney at Law  
3 901 E. Nora  
4 Spokane, Washington 99207-2459  
5 Telephone: (509) 484-1104  
6 Facsimile: (509) 484-1106  
7 Attorney for Plaintiff

8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF WASHINGTON**  
10 **AT SPOKANE**

11 STEVEN MCDANIEL,

12 Plaintiff,

13 v.

14 THE COLE GROUP, and ROBERTSON  
15 CECO II CORPORATION,

16 Defendants.

NO. CV- 07-296-LRS

ORDER OF DISMISSAL

17 Based upon the parties' stipulated motion to dismiss the above captioned matter with  
18 prejudice and without costs,

19 IT IS HEREBY,

20 ORDERED, ADJUDGED AND DECREED as follows:

21 The above-captioned matter is dismissed with prejudice and without costs as to all  
22 parties.

23 SIGNED this 1st day of August, 2008.

24 s/Lonny R. Suko

25 JUDGE

**STANLEY A. KEMPNER, JR.**  
Attorney at Law  
901 E. Nora  
Spokane, WA 99207  
(509) 484-1104  
(509) 484-1106:fax  
sakempner@comcast.com

1  
2  
3 AGREED AS TO SUBSTANCE AND FORM:  
4

5 **PORTER & HEDGES, L.L.P.**

**EVANS, CRAVEN & LACKIE, PS**

6 By: /s/ C. Dean Herms, Jr.  
7 C. Dean Herms, Jr.\*  
8 Texas State Bar No. 24002265  
9 1000 Main Street, 36<sup>th</sup> Floor  
10 Houston, Texas 77002  
11 Phone: (713) 226-6680  
12 Fax: (713) 228-1331

By: /s/ Patrick M. Risken  
Washington State Bar No. 14632  
818 W. Riverside Ave., Ste. 250  
Spokane, WA 99201  
Phone: (509) 455-5200  
Fax: (509) 455-3632  
**ATTORNEYS FOR DEFENDANT  
THE COLE GROUP**

11 John R. Nelson  
12 FOSTER PEPPER PLLC  
13 Washington State Bar No. 16393  
14 West 422 Riverside Avenue,  
15 Suite 1310  
16 Spokane, WA 99201-0302  
17 Phone: (509) 777-1604  
18 Fax: (509) 777-1616  
19 **ATTORNEYS FOR DEFENDANT**  
20 **ROBERTSON CECO II, CORPORATION**  
21 \* Admitted pro hac vice

19 **STANLEY A. KEMPNER, JR.**

20  
21 By: /s/ Stanley A. Kempner, Jr.  
22 Washington State Bar No. 11260  
23 901 E. Nora  
24 Spokane, WA 99207  
25 Phone: (509) 484-1104  
Fax: (509) 484-1106  
**ATTORNEY FOR PLAINTIFF**